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December 22, 2005

HAND DELIVERY

Honorable Ron Jones, Chairman
c/o Sharla Dillon, Docket & Records Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

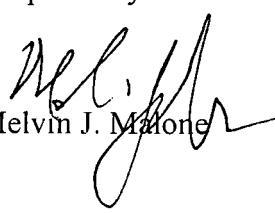
**RE: In Re: Joint Application of Sprint Communications Company L.P. and
Trinsic Communications, Inc. for Transfer of Customer Base
TRA #05-00335**

Dear Chairman Jones:

Enclosed for filing in the above-captioned matter are the original and thirteen (13) copies of a Motion for Waiver of Authority Rule 1220-4-2-.56(2)(d)(2) and Argument in Support Thereof. An additional copy of the same is also enclosed to be "file stamped" for our records

If you have any questions or need additional information, please let me know

Respectfully submitted,


Melvin J. Malone

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DECEMBER
BEFORE THE TENNESSEE REGULATORY AUTHORITY
2005 DEC 22 PM 3:47 NASHVILLE, TENNESSEE

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Joint Application of Sprint)
Communications Company L P) Docket No. 05-00335
And Trinsic Communications, Inc.)
For Transfer of Customer Base)

MOTION FOR WAIVER OF AUTHORITY RULE 1220-4-2-.56(2)(d)(2) AND
ARGUMENT IN SUPPORT THEREOF

Pursuant to Authority Rule 1220-4-2- 56(2)(d), on December 13, 2005, Sprint Communications Company L.P. ("Sprint") and Trinsic Communications, Inc ("Trinsic") (collectively the "Applicants") petitioned the Tennessee Regulatory Authority ("Authority" or "TRA") for authority to transfer Sprint's competitive local exchange customers served via the unbundled network element platform ("UNE-P") to Trinsic. Sprint and Trinsic also requested, to the extent required, that the Authority waive any applicable anti-slamming regulations. For the reasons set forth below, and for good cause shown, the Applicants respectfully request that the Authority waive Authority Rule 1220-4-2-.56(2)(d)(2). In support of their motion, the Applicants would show as follows:

I.

ARGUMENT IN SUPPORT OF MOTION

As set forth in **Exhibit B** to the Joint Application for Transfer of Customer Base (the "*Joint Application*"), submitted on December 13, 2005, the proposed target date for transfer of customers is February 1, 2006.¹ The February 1, 2006, target date is directly

¹ As stated in the *Joint Application*, the transfer will be transparent to the affected customers and will not alter the manner or quality of service that Sprint's current Complete Sense local customers enjoy

related to the fast-approaching March 11, 2006, UNE-P migration completion date imposed in the Federal Communications Commission's Triennial Review Remand Order.

Among other things, Authority Rule 1220-4-2- 56(2)(d)(2) provides that a "pre-approved" notification letter regarding any transfer of customer base shall be mailed by the current provider of telecommunications service to its customers "no less than thirty (30) days prior to the actual customer transfer " Further, the rule provides that "For good cause shown, the Authority may waive any requirement of this part[]"

In the *Joint Application*, the Applicants requested that the *Joint Application* be considered on an expedited basis As of the submission of this motion, the Authority has not issued its next Conference Agenda. Still, assuming that the *Joint Application* is considered by the Authority in January 2006, the Applicants would not have sufficient time to comply with the Authority's 30-day notice requirement prior to February 1, 2006, the scheduled transfer date Hence, the Applicants seek a partial/limited waiver of Authority Rule 1220-4-2-.56(2)(d)(2).

For the foregoing reasons, the Applicants propose that they be permitted to issue the notification letter required under Authority Rule 1220-4-2- 56(2)(d)(2) on or before January 1, 2006. Under this proposal, the affected customers will receive the benefit of the 30-day notice period contemplated under the rule and the February 1, 2006, transfer date is not jeopardized.² Therefore, the request is not inconsistent with the public interest

The transaction will also have no effect on Trinsic's operations in Tennessee, and Trinsic will continue to provide CLEC services in Tennessee pursuant to its existing Tennessee certification

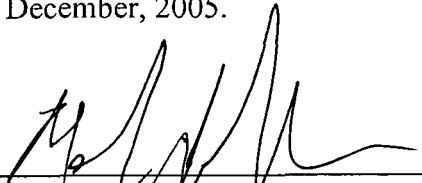
² In their efforts to preserve the February 1, 2006, transfer date, the Applicants could have requested that the 30-day notice requirement be shortened so that the required notification letter could be

II.

CONCLUSION

For good cause shown, Sprint and Trinsic hereby request that the TRA waive Authority Rule 1220-4-2- 56(2)(d)(2).

Respectfully submitted this 22th day of December, 2005.



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issued subsequent to consideration of the *Joint Application*. But, the Applicants are persuaded, in good faith, that the requested approach, which provides customers with the full benefit of the 30-day notice, is the better course